

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MELVIN H. WILSON)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 92-029
)	
)	
SOUTH ANDERSON WATER DISTRICT)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

South Anderson Water District ("South Anderson") is hereby notified that it has been named as Defendant in a formal complaint received on January 15, 1992, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, South Anderson is HEREBY ORDERED to satisfy the matters complained of or to file a written answer to the complaint within 10 days from the date of service of this Order.

Done at Frankfort, Kentucky, this 27th day of January, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

Melvin H. Wilson

881 CORPORATE DR. SUITE 200 (40503)
P.O. Box 677
LEXINGTON, KY 40586
(606) 223-5959

January 14, 1992

RECEIVED

JAN 15 1992

Messrs. Lee MacCracken
Tom Dorman
Ed Overby
Dr. Bob Davis

92-029

PUBLIC SERVICE
COMMISSION

RE: Complaint against South Anderson Water District

Gentlemen:

I have two complaints to file against South Anderson Water District:

1.) They are attempting to charge me (and I've paid under protest) a 12 month minimum water bill before I can hook onto the water main line that I gave them an easement for to cross a farm that I did own one-half interest in. My residence sits approximately 3,000 feet from this main line on a separate 2 1/2 acre tract of land. Mr. Warford's contention is that by running the water line across the front of the farm over 1/2 mile from my residence that that was providing water to the premises. That seems absolutely absurd to me and I don't feel it is fair to have to pay this \$114.00 fee. If you agree, please instruct S. Anderson Water District to refund my money.

2.) South Anderson Water District is refusing to allow me to furnish water to a small guest house on my property from the same line that I'm using to put water to my house. The guest house is some 2,500 feet from the main line. I'm being told that I must pay for a \$400 meter hookup; run a separate line 2,500 feet to the guest house; and, pay a 12 month minimum deposit there too.


None of this makes any sense to me at all. The guest house is not permanently occupied nor has it ever been. It's vacant most of the time and would probably never even use the minimum amount of water. (It's never used a full 1,200 gallon cistern a month).

If you agree, please instruct S. Anderson Water District to allow me to run a small connecting line to the guest house from my home line.

January 14, 1992
PUBLIC SERVICE COMMISSION
Page Two

I appreciate your help and urge you to help a consumer who is being mistreated and abused by the bureaucracy of the S. Anderson Water District.

Sincerely,


Melvin H. Wilson

MHW/bm
enclosures

SOUTH ANDERSON WATER DISTRICT

P.O. BOX 16

LAWRENCEBURG, KY. 40342

January 8, 1992

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JAN 15 1992


**PUBLIC SERVICE
COMMISSION**

Mr. Melvin Wilson
2880 Bardstown Road
Lawrenceburg, Ky. 40342

Dear Mr. Wilson:

This letter is in regard to our phone conversation on Monday, concerning water service. I have enclosed a copy of the water application contract, which you requested. I have also enclosed a copy of the 1st. water bill that was sent to you, which you returned back to us stating that you did not feel that this bill was in order. If you want water service now, you will need to pay a \$30.00 deposit plus \$114.00 (which is a 12 months minimum bill).

Yours truly,


South Anderson Water District
Alton Warford, Manager

AW/rp

SOUTH ANDERSON WATER DISTRICT
APPLICATION FOR WATER SERVICE

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JAN 15 1992

PUBLIC SERVICE
COMMISSION

This contract made and entered into this 17 day of November 1986, between Charles and Milie Wilson whose address is 2880 Bardonia Rd Lawrenceburg, Ky (hereinafter called the "Applicant") and the South Anderson Water District, P. O Box 16, Lawrenceburg, Kentucky, 40342 (hereinafter called the "District".)

The Applicant hereby applies for water service from the District upon the following terms:

1. The Applicant will pay to the District the sum established as the connect fee, which when accepted by the District, will constitute the installation fee for water service.
2. The established residence installation fee is four hundred dollars (\$400.00). The meter will be set on the Applicant's property at the closest point to the existing water line. If the Applicant is more than fifty feet (50) from the existing water line, the Applicant will be required to pay the additional cost of the extension.
3. The Applicant will, when water becomes available, purchase from the District and will pay monthly at rates which will be fixed by the Board of Commissioners. Each applicant will be required to pay a thirty dollar (\$30.00) deposit.
4. The Applicant will comply with and be bound by the provisions of the policy and/or amendments thereof of the District, and such rules and regulations as may, from time to time, be adopted by the District. The District may terminate service to any applicant failing to pay a water bill when thirty (30) days past due or for violating a District policy.
5. In consideration of water services to serve the premises of the Applicant, the Applicant agrees to pay for water services at the monthly minimum rate within the classification which Applicant falls. Each consecutive monthly payment shall be made promptly when due, but nothing herein contained shall be construed to relieve the customer of the obligation to pay for such amount of water as may actually be consumed.
6. The Applicant agrees to permit the District to lay, maintain, repair, remove and disconnect a service line and meter, and read meters at a point on Applicant's property to be designated by the District for each meter with right in ingress and egress for these purposes over Applicant's property.
7. The Applicant will install and maintain a service line at his own expense which shall begin at the water meter and extend to the dwelling or other portions of his premises.
8. The Applicant assumes responsibility for any damage to metering equipment in making connections to the meter.

Signed

Charles Wilson
(Husband)

Milie Wilson
(Wife)

NAME CHECKS PAYABLE TO:
SOUTH ANDERSON WATER DISTRICT
P. O. BOX 18
LAWRENCEBURG, KENTUCKY 40342

METER READINGS	USAGE	CHARGES
0	0	0 WATER 9.50
<i>We have NO water therefore I don't feel any bill is in order - m7/Helen</i>		
DAYS OF SERVICE 30 11/25/89 TO 12/25/89 02-03120-01 PLEASE PAY THIS AMOUNT \$ 9.50 For Service At 2880 BARDSTOWN RD DELINQUENT AFTER \$ KEEP THIS PORTION FOR YOUR RECORDS THIS BILL DUE UPON RECEIPT IF NOT PAID BY DELINQUENT DATE, A 10% PENALTY WILL BE ADDED. THEREAFTER SERVICE MAY BE DISCONNECTED.		

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JAN 15 1990

PUBLIC SERVICE
 COMMISSION

PRESORTED

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 LAWRENCEBURG, KY
 40342
 PERMIT NO. 30

WILSON, MELVIN
 2880 BARDSTOWN RD R
 LAWRENCEBURG KY

4034

ACCOUNT NO.

TOTAL DUE

02-03120-01

9.50

01/25/90

PLEASE RETURN THIS STUB WITH YOUR PAYMENT

South Anderson Water DistrictRULES AND REGULATIONSNo. 12SUBJECT: Metering of Service (c

A consumer (owner) shall not supply more than one residence from one meter; however, one residence and any farm usage may be supplied from the same meter (tenant house is considered a residence). Example: One farm residence and one tenant house have two separate meters.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JAN 6 1988

PURSUANT TO 807 KAR 5.011,
SECTION 9(1)

BY: Thomas L. Hill
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE 1 6 88
Month Day Year

DATE EFFECTIVE 1 6
Month Day Year

ISSUED BY Alton Warford Chairman Lawrenceburg, Ken
Name of Officer Title Address



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

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JAN 15 1992

PUBLIC SERVICE
COMMISSION

March 13, 1987

Mr. Melvin Wilson
2880 Bardstown Road
Lawrenceburg, KY 40342

Dear Mr. Wilson:

On January 23, 1987, a field investigation was made of the Highway 62 area, Anderson County, by a representative of the Public Service Commission. A copy of this report is being sent herewith to advise you of the status of this file in reference to your complaint.

We are currently waiting for South Anderson's response to this report on or before April 13, 1987.

Please feel free to call K. Michael Newton at (502) 564-2133 for any clarification you may need on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Claude G. Rhorer, Jr.", is written over the typed name.

Claude G. Rhorer, Jr., Director
Division of Utility Engineering
and Services

CGR:KMN:aem

Enclosure

Commonwealth of Kentucky
Public Service Commission

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PUBLIC SERVICE
COMMISSION

COMPLAINT INVESTIGATION REPORT

Mr. Melvin Wilson Vs
South Anderson Water District

February 19, 1987

On January 23, 1987, an investigation was made of the Highway 62 area, Anderson County, Kentucky, on the basis of a complaint phone call received on January 19, 1987, from Melvin Wilson. This investigation was in regard to an extension of service problem Mr. Wilson believed he might have in receiving water service to his home. This investigation was conducted by Russell Bauer and Mike Newton of the Commission staff with information provided by Alton Warford, Chairman of South Anderson Water District ("South Anderson"). Mr. Wilson is within the boundary service area of South Anderson.

Investigation

Melvin Wilson owns approximately 60 acres of land jointly with Dr. Bill Collins located 8 miles due west on Highway 62 from the intersection of Highway 62 and US 127 Bypass near Lawrenceburg. Mr. Wilson states there are three establishments on this property; one is owned by Dr. Collins, one is owned by Mr. Wilson, and the other is owned jointly. Mr. Wilson goes on to say that 2.5 acres around Dr. Collins' home and his home are solely owned. His complaint is that South Anderson wants to place his meter and the other two establishments' meters on the property line next to Highway 62. This would mean Dr. Collins and he would

Report - Mr. Melvin Wilson vs.
South Anderson Water District
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February 19, 1987

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COMMISSION

have to run 3 service lines to the establishments on their farm.

Instead of this arrangement Mr. Wilson would like to have South

Anderson extend one water line back approximately 1/2 mile

parallel to his private access road and place three meters where

the access road divides to his and Dr. Collins' establishments and
run the service lines from this point.

South Anderson does not have a water line serving the reported complaint area of Highway 62 at this time. They were recently granted financial assistance from Farmers Home Administration ("FmHA") to construct a \$1,200,000 waterworks improvement project in Anderson County. This project will include the construction of 24 miles of water main, 2 pump stations, and 2 100,000-gallon water tanks. The watermain extension down Highway 62 is to be contained in this project.

South Anderson must meet FmHA requirements of signing up 172 perspective customers before the Highway 62 watermain extension portion may be built. As of the date of this report South Anderson has signed 158 customers. Upon the procurement of all necessary signatures and completion of additional paperwork, South Anderson expects to file an application for construction with the Public Service Commission within 60 to 90 days.

Alton Warford states that preliminary engineering plans completed by GRW Engineering indicate that a 6-inch P.V.C. water main would run parallel to Highway 62 in front of Mr. Wilson's

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South Anderson Water District
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PUBLIC SERVICE
COMMISSION

property. Mr. Warford goes on to say South Anderson's past policy has been to set a water meter connection at each customers property line for water service. ~~The alternative arrangement requested by Mr. Wilson to extend a waterline along his private drive and place three water meters where this drive divides would denote a mainline extension to South Anderson. A mainline extension on private property has not been a prescribed method of construction by South Anderson in the past. Photographs and a map showing the location of the complaint area are attached to this report.~~

Conclusions

In previous cases the Commission has interpreted 807 KAR 5:066, Section 13 (1)(a) to require that water utilities install a service connection at or near the customer's property line along public roads in rural areas. 807 KAR 5:066 (14)(3b) also permits a water district to charge a "tapping fee" for installing service to its customers.

In addition, the Public Service Commission's ("PSC") regulation 807 KAR 5:066, Section 12 on extension of service states when a prospective customer applies to a utility for service which requires the extension of an existing distribution main, the utility is responsible for construction of 50 feet or less of the extension without charge to the prospective customer and only if the customer applies for and contracts to use water

Report - Mr. Melvin Wilson vs.
South Anderson Water District
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February 19, 1987

service for one year. However, if this extension amounts to more than 50 feet per customer, the customer shall be responsible for the total cost of the excessive footage over 50 feet.

This extension of service regulation has in the past applied to the continuation of a water main only when it is required to reach the customer's property line. The preliminary engineering plans of the Highway 62 extension indicate a water main will be located on the frontage of Mr. Wilson's and Dr. Collins' property, therefore no extension of service would be considered necessary. The setting of a meter connection by South Anderson on the property line jointly owned by Mr. Wilson and Dr. Collins is regarded as consistent with PSC regulations.

Recommendations


The following recommendations are presented for South Anderson's and Melvin Wilson's consideration:

1. South Anderson should place Mr. Wilson's meter connection at or near the existing public access to the property which is owned jointly by Mr. Wilson and Dr. Bill Collins.
2. Mr. Wilson may wish to have a larger than normal sized water service line installed due to the distance from his residence to Highway 62 and the elevation differences.
3. Mr. Wilson and Dr. Collins may wish to donate appropriate easement and right-of-way across their property to South Anderson and pay for the construction of a main extension to

Report - Mr. Melvin Wilson vs.
South Anderson Water District
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February 19, 1987

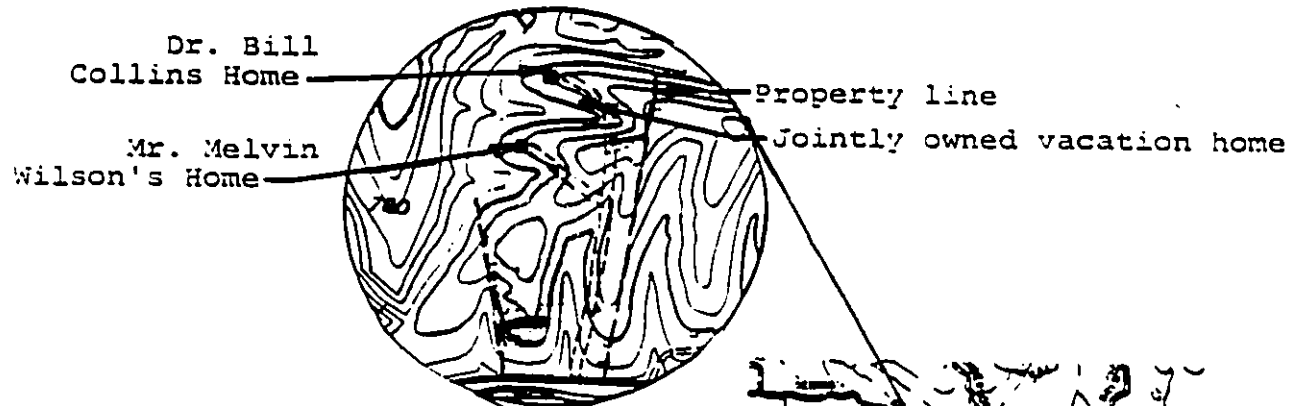
directly serve their vacation homes. If acceptable to South Anderson, such an arrangement would permit individual meters to be placed closer to the location of the vacation homes.

Submitted,
February 19, 1987


K. Michael Newton
Utility Investigator
EB5
OK

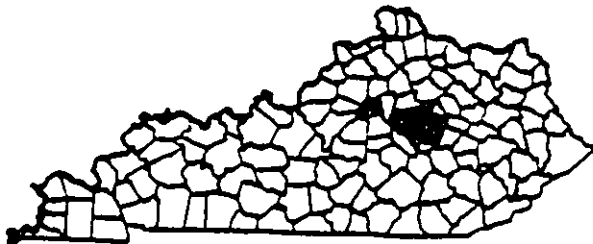
KMN:aem

Anderson County



NOTE:

Distance from Highway 62
to Dr. Collins Home .6 mile.
Distance to crossroad in drive
is .4 mile.





Photographs showing the
front entrance to Mr. Wil
property.



SOUTH ANDERSON WATER DISTRICT
P.O. BOX 16
LAWRENCEBURG, KY. 40342

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JAN 15 1990

PUBLIC SERVICE
COMMISSION

TO: SOUTH ANDERSON WATER DISTRICT CUSTOMERS
FROM: ALTON WARFORD, MANAGER
SUBJECT: WATER HOOK-UPS
DATE: NOVEMBER 17, 1989

This is to inform you that the South Anderson Water District Board has decided to start charging a minimum bill to all customers that have not hooked up their water service. The Board feels this needs to be done due to the amount that has to be paid on the Bond for the Phase III Water Project.

This will be in effect as of January 1, 1990. All customers that have not hooked up their water service at that time will start receiving a minimum bill each month of \$9.50.

If you have any questions concerning this matter, please feel free to call our office at 839-6919. Thank you.